

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**GOFF DAIRY, LLC,**

**Plaintiff,**

**v.**

**No. 11-cv-0966 JCH/SMV**

**MARK A. HENRY, JR.,**

**Defendant.**

**ORDER TO SHOW CAUSE**

THIS MATTER is before the Court sua sponte. On October 19, 2012, the Court ordered Defendant to answer the Complaint, giving Defendant 20 days after entry of the Order to do so. Order to Answer [Doc. 25]. To date, the record reflects no answer on behalf of the Defendant, nor does it reflect any activity on part of Plaintiff to proceed with its claims against Defendant. Pursuant to D.N.M.LR-Civ. 41.1, “[a] civil action may be dismissed if, for a period of ninety (90) days, no steps are taken to move the case forward.” Plaintiff has failed to develop its case against Defendant for over 90 days.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiff show cause no later than **Thursday, March 7, 2013**, why its claims against Defendant should not be dismissed without prejudice for failure to prosecute under D.N.M.LR-Civ. 41.1.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**